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September 18, 2006

Michigan Supreme Court
Michigan Hall of Justice
PO Box 30052
Lansing, MI 48909

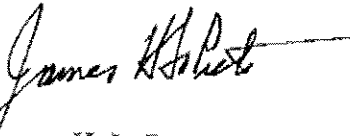
Honorable Clifford W. Taylor, C.J.
Honorable Michael F. Cavanagh
Honorable Maura D. Corrigan
Honorable Elizabeth A. Weaver

Honorable Marilyn J. Kelly
Honorable Robert P. Young, Jr.
Honorable Stephen J. Markman

Dear Justices:

I have read the proposed Amendments of Rules 2.512, 2.513, 2.514 and 2.515. With the exception of 2.514(D) (requiring an attorney to be present in court during jury deliberations), as a 50 plus year practitioner, I believe you are making a giant step forward and are setting up long overdue common sense procedures. My objection to requiring an attorney to be physically present during jury deliberations is solely in the interest of my clients. They will have to pay (except in contingent fee cases) for an attorney to, in essence, "dead head" at the court house while the jury deliberates for an unknown amount of time. Perhaps you can craft either a "reasonably accessible" requirement so that someone could be present within a certain time period or give a little more leeway to the trial judge in this area. The requirement as written would be especially burdensome on a sole practitioner or a small law firm.

Very truly yours,


James H. LoPrete

JHL/mf

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